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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/815,492	03/23/2001	Ann Elizabeth Kelly	13DV14010	5661
29399	7590	08/24/2004	EXAMINER CAO, HUEDUNG X	
JOHN S. BEULICK C/O ARMSTRONG TEASDALE LLP ONE METROPOLITAN SQUARE SUITE 2600 ST. LOUIS, MO 63102-2740			ART UNIT 2821	PAPER NUMBER

DATE MAILED: 08/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/815,492

**Applicant(s)**

KELLY ET AL.

**Examiner**

Huedung X Cao

**Art Unit**

2821

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 17 March 2003.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-17, 19 and 20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17, 19 and 20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                              | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)          | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____. | 6) <input type="checkbox"/> Other: _____.                                   |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-17 and 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over CELI, Jr. et al. (US 6157933) in view of KIRALY et al. (US 6088731).

As per claim 1, Celi teaches a method for displaying web-based data files, said method comprising the steps of:

providing a centralized web structure for storing a plurality of web-based data files (Celi, col. 2, line 48); storing the plurality of web-based files within the centralized web structure (Celi, col. 3, lines 11-25); and displaying the plurality of web-based data files in a simulated animated format, such that a user controls at least one of an animation speed (Celi, col. 3, lines 11-25), an activation of the animation which Celi does not explicitly disclose. However, Kiraly teaches that such "activation of the animation is widely used in the art (Kiraly, activation button, figure 9). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use an activation button because it would make easier for the user to move between a current image and a subsequence image.

Claim 2 adds into claim 1, wherein said step of displaying the plurality of web-based data files further comprises the step of displaying the plurality of web-based data files in a simulated animated format without using browser plug-in software (Celi, col. 3, lines 11-25) .

Claim 3 adds into claim 2, wherein said step of storing the plurality of web-based files further comprises the step of storing a plurality of JPEG images. However, Celi teaches that each web page can have a multiple image or GIF files or JPEG files so that the savings in download time is greater the higher the number of images contains on the web page.

Claim 4 adds into claim 3, wherein said step of displaying the plurality of web-based data files further comprises the step of arranging the plurality of data files in a sequential order (Celi, col. 3, lines 26-39).

Claim 5 adds into claim 4, wherein said step of arranging the plurality of data files further comprises the step of using JavaScript to determine the sequential order of the data files (Celi, see abstract).

As per claim 6, Celi teaches a customer applications web-site for displaying a plurality of data files in a simulated animated format, the data files individually saved, said web site including an interactive control panel configured to permit an end-user to control the animation display including at least one of a speed of animation (Celi, col. 3, lines 40-47), and an activation of the animation which Celi does not explicitly disclose. However, Kiraly teaches that such "activation of the animation is widely used in the art (Kiraly, activation button, figure 9). It would have been obvious to one of ordinary skill in

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the art at the time the invention was made to use an activation button because it would make easier for the user to move between a current image and a subsequence image.

Claim 7 adds into claim 6, wherein said web-site further configured to display the plurality of data files in a simulated animated format without using web-site plug-in software (Celi, col. 3, lines 11-25).

Claim 8 adds into claim 6, wherein the data files are JPEG images that Celi does not explicitly disclose. However, Celi teaches that each web page can have a multiple image or GIF files or JPEG files so that the savings in download time is greater the higher the number of images contains on the web page.

Claim 9 adds into claim 6, wherein the plurality of data files are displayed in a sequence (Celi, col. 3, lines 26-39).

Claim 10 adds into claim 9, wherein JavaScript code is used to display the data files (Celi, see abstract).

Claim 11 adds into claim 6, wherein the data files comprise a plurality of aircraft engine components arranged in different orientations with respect to each other which Celi does not explicitly disclose. However, it would have been obvious to one of ordinary skill in the art to use the aircraft engine components or the person characters in animation.

Claim 12 adds into claim 6, wherein the interactive control panel further configured to display each individual data file in a non-animated format (Celi, col. 3, lines 1-7).

Claims 13-17, and 19-20 are similar to claims 6-12, but add "configured to permit an end user to determine a sequential order of the data files which the cited references do not teach. However, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to configure the references' system as claimed because for any computer interacting with a network, the history of down loaded files will include the down loaded time list which permit an end user to determine "a sequential order of the data files" in down loading; furthermore, given the ability of an end user to display a number of the files, it is clear that it permits the end user to determine "a sequential order of the data files" in displaying; therefore, they are rejected under a same reason.

### *Response to Arguments*

3. Applicant's arguments filed March 20, 2003 have been fully considered but they are not deemed to be persuasive. Applicant argues that there is no teaching or suggestion for the claimed combination which is incorrect. There is obvious that given an animation file, the end user is able to select the speed and activate the display of the animated file. Given the both cited references working in the animation files down loaded from an Internet, it would have been obvious to implement a means to set up the animation speed and animation activation (as taught by Kiraly, figure 9) because the activate and define of the animation speed enhance the interactive of the end user in access to the animated files (Kiraly, column 10, lines 35-43). Karily does teach the selection speed of the animated filed in figure 9, where the user is permitted to select

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two different speeds of the display of the animated files; specifically as faster or same as the speed of record. In claim 13, Applicant amended to add the feature "configured to permit an end user to determine a sequential order of the data files which the cited references do not teach. However, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to configure the references' system as claimed because for any computer interacting with a network, the history of down loaded files will include the down loaded time list which permit an end user to determine "a sequential order of the data files" in down loading; furthermore, given the ability of an end user to display a number of the files, it is clear that it permits the end user to determine "a sequential order of the data files" in displaying. Accordingly, the claimed invention as represented in the claims does not represent a patentable distinction over the art of record.

*Conclusion*

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.



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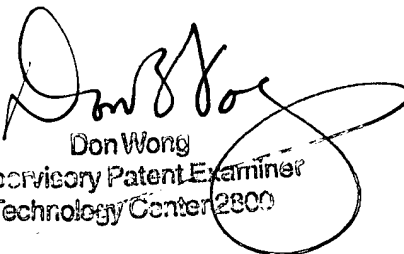
***Inquires***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huedung Cao whose telephone number is (571) 272-1939.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong, can be reached on (571) 272-1834. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

6. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Huedung Cao  
Patent Examiner

  
Don Wong  
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Technology Center 2800